

and accepted by the commanding officer of Portsmouth Naval Shipyard on behalf of the families and shipmates of the crew of the *USS Thresher*, the crews of the Naval Submarine Service and the workers of the Portsmouth Naval Shipyard.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 120—TO EXPRESS THE SENSE OF CONGRESS REGARDING THE NEED TO PASS LEGISLATION TO INCREASE PENALTIES ON PERPETRATORS OF HATE CRIMES

Mr. ROBB (for himself, Mr. REID, and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 120

Whereas diversity and tolerance are essential principles of an open and free society;

Whereas all people deserve to be safe within their communities, free to live, work, and worship without fear of violence and bigotry;

Whereas crimes motivated by hatred against persons because of their race, color, religion, national origin, gender, sexual orientation, or disability undermine the fundamental values of our Nation;

Whereas hate crimes tear at the fabric of American society, leave scars on victims and their families, and weaken our sense of community and purpose; and

Whereas individuals who commit crimes based on hate and bigotry must be held responsible for their actions and must be stopped from spreading violence: : Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that Congress—

(1) needs to pass legislation that amends the Federal criminal code to set penalties for persons who commit acts of violence against other persons because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, or disability of any person;

(2) condemns the culture of hate and the hate groups that foster such violent acts;

(3) commends the communities throughout our Nation that are united in condemning such acts of hate in their neighborhoods;

(4) commends the efforts of Federal, State, and local law enforcement officials; and

(5) reaffirms its commitment to a society that fully respects and protects all people, regardless of race, color, religion, national origin, gender, sexual orientation, or disability.

Mr. ROBB. Mr. President, I rise to introduce a concurrent resolution urging Congress to enact meaningful hate crimes legislation. Today marks the sad second anniversary of the killing of James Byrd, Jr., the victim of a vicious hate crime in Texas. Mr. Byrd, a 49-year-old African-American man, was dragged for approximately two miles while chained to the back of a pickup truck by his white assailants. As a result of this brutal attack, Mr. Byrd's head and right arm were severed from his body.

Reflecting on this terrible act of deep hatred against the dignity of a human being should strengthen our resolve to combat acts of bias in our society. We will not get to where we need to go in this country until we have eradicated the discriminatory hatred that lies in some people's hearts. While we cannot legislate away the prejudice in a person's heart or soul, we can certainly punish those who act upon their feelings of hatred and commit acts of utter brutality. Hate crimes tear at the very fabric of American society and often scar, not just the victims, but the families and communities involved as well. Those who harbor hatred must know that America will punish them for their actions and that we will not tolerate their acts of inhumanity.

Our Nation is composed of a great diversity that contributes to our economic and educational preeminence in the world. We will never achieve all that our Nation is capable of accomplishing unless we are united in addressing the scourge of prejudice and hate crimes in our society. The Congress can lead on this issue by enacting comprehensive legislation, such as the Hate Crimes Prevention Act, that expands existing hate crimes law. Not only should those who are victimized by hate crimes because of their gender, sexual orientation, or disability be afforded access to appropriate justice, but we as a Nation should also pursue swift and serious punishment against violent hate-mongers to send a message that we will not tolerate their hate.

Today, I join with colleagues from both the Senate and the House to introduce this concurrent resolution and spur action to combat the crimes motivated by bias which continue to shock the conscience of our civil society. Federal hate crimes legislation provides another avenue for prosecuting the perpetrators of violent hate, and I look forward to enacting a comprehensive Federal hate crimes statute. I am confident that our abhorrence of hate crimes will move the Congress to action.

AMENDMENTS SUBMITTED

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

**JOHNSON (AND OTHERS)
AMENDMENT NO. 3191**

Mr. JOHNSON (for himself, Mr. MCCAIN, Mr. BINGAMAN, Mrs. MURRAY, Mr. REID, Mr. JEFFORDS, Mr. DORGAN, Mr. ROBB, and Mr. WELLSTONE) proposed an amendment to the bill (S. 2549) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense ac-

tivities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 241, strike line 17 and all that follows through page 243, line 19, and insert the following:

SEC. 703. HEALTH CARE FOR MILITARY RETIREES.

(a) FINDINGS.—Congress makes the following findings:

(1) No statutory health care program existed for members of the uniformed services who entered service prior to June 7, 1956, and retired after serving a minimum of 20 years or by reason of a service-connected disability.

(2) Recruiters for the uniformed services are agents of the United States government and employed recruiting tactics that allowed members who entered the uniformed services prior to June 7, 1956, to believe they would be entitled to fully-paid lifetime health care upon retirement.

(3) Statutes enacted in 1956 entitled those who entered service on or after June 7, 1956, and retired after serving a minimum of 20 years or by reason of a service-connected disability, to medical and dental care in any facility of the uniformed services, subject to the availability of space and facilities and the capabilities of the medical and dental staff.

(4) After 4 rounds of base closures between 1988 and 1995 and further drawdowns of remaining military medical treatment facilities, access to "space available" health care in a military medical treatment facility is virtually nonexistent for many military retirees.

(5) The military health care benefit of "space available" services and Medicare is no longer a fair and equitable benefit as compared to benefits for other retired Federal employees.

(6) The failure to provide adequate health care upon retirement is preventing the retired members of the uniformed services from recommending, without reservation, that young men and women make a career of any military service.

(7) The United States should establish health care that is fully paid by the sponsoring agency under the Federal Employees Health Benefits program for members who entered active duty on or prior to June 7, 1956, and who subsequently earned retirement.

(8) The United States should reestablish adequate health care for all retired members of the uniformed services that is at least equivalent to that provided to other retired Federal employees by extending to such retired members of the uniformed services the option of coverage under the Federal Employees Health Benefits program, the Civilian Health and Medical Program of the uniformed services, or the TRICARE Program.

(b) COVERAGE OF MILITARY RETIREES UNDER FEHBP.—

(1) EARNED COVERAGE FOR CERTAIN RETIREES AND DEPENDENTS.—Chapter 89 of title 5, United States Code, is amended—

(A) in section 8905, by adding at the end the following new subsection:

"(h) For purposes of this section, the term 'employee' includes a retired member of the uniformed services (as defined in section 101(a)(5) of title 10) who began service before June 7, 1956. A surviving widow or widower of such a retired member may also enroll in an approved health benefits plan described by section 8903 or 8903a of this title as an individual." ; and